

Application for Funding Assistance
Florida Department of Law Enforcement
Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program

services through this contract. Do not list all other licenses the Service Provider holds.

Pertinent Florida DCF licenses:

General intervention, Day/night, Outpatient.

3. If the relationship with the service provider is contractual, will you use competitive bids or sole source procurement? The applicant should note that if sole source procurement is used, and the budgeted amount is greater than \$100,000, preapproval must be obtained from FDLE prior to the reimbursement of funds.

Sole source procurement

4. If service provision occur at more than one location and/or at a location other than the one identified in item 2 above, please specify all service location addresses.

Guidance Clinic of the Middle Keys, Inc., in Key West
301 White Street, Building 12
Key West, FL 33040
305/292-6770

5. Identify the role(s) of key personnel by title and provide a brief description of their primary responsibility. These individuals may or may not be grant funded but provide project activities that are eligible for Byrne Program funding and that establish the "program" your will be reporting on in the quarterly performance reports. For example, if you only purchase drug prevention education materials, you would identify personnel, such as a crime prevention officer, who conducts project activities such as classes using the materials.

- a. List position title, job description (list only key tasks) and agency.

Clinical Coordinator: Responsible for overseeing and approving all client treatment plans, provision of all counseling services, and training of staff involved with client care.

Substance Abuse Counselor: Provides weekly individual therapy with clients, leads more intensive group counseling sessions, records client progress in respective client charts, consults with clinical coordinator on client progression and concerns.

Group Counselor: Leads less intensive group counseling sessions, records group progress notes in respective client files, reports on specific issues to clients' counselors and clinical coordinator.

- b. Indicate the number of staff who will provide project activities.

Twelve staff members, including clinical coordinator, four counselors, one group counselor, one client services coordinator, substance abuse technicians, and intervention specialists.

- c. Specify whether positions are Agency or Contract staff.

All are agency staff members

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- a. What is the clients' link to the criminal justice system and how do they meet the requirement for being offenders? For example, have they committed a misdemeanor, felony or both? If juvenile, have they been processed at a Juvenile Assessment Center? If they will be accepted based on referral by an organization such as a court or law enforcement agency, include that information as well.

Clients will be referred from City of Key West Police Department, the Monroe County Sheriff's Office, and the 16th Judicial Circuit Court.

- b. List all other criteria that clients will be required to meet in order to qualify for selection. If activities will be provided for family or significant others, please include them as well. If either specific age groups, or school categories (i.e., second grade, high school) will be used as categories, that information should also be included.

Individual qualitative criteria will be considered when each client presents for treatment. Examples include, but will not be limited to, previous times in substance abuse treatment, types of previous treatment, types of past offenses previous public housing tenancy, eligibility for public housing tenancy. It is not known how these less standard criteria can or will influence the admissions process. For example, a client who participated repeatedly in outpatient treatment programs but never completed successfully could be referred outside the county for more restrictive programs. A client whose charges included domestic battery would be denied public housing tenancy unless s/he completed an anger management course successfully or found other means to satisfy this requirement.

- c. Identify by position title(s) the individuals that will determine client eligibility.

Clinical Coordinator

ACTIVITIES

1. If your project does not stand alone, but is part of an existing program, please describe this relationship.

Stand alone.

2. Please indicate the activities your project will provide. Select from the following list of commonly funded activities or add additional activities, as appropriate.

See checked boxes below.

Note: Please be consistent between activities you select from the list and the *Objectives and Performance Measures* on which you will be reporting:

Common Treatment Project Activities	
<input type="checkbox"/>	Medical Assessment
<input checked="" type="checkbox"/>	Psychosocial Assessment

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- Court liaison services include oral and written representation of client progress or lack thereof to the justice system. Such services also could involve appearing in court with or without clients. Clients in need of court liaison services will receive them as appropriate in terms of recurrence and time length.
 - Individual therapy involves guided discussions regarding a client's issues related to substance abuse as well as the problems emanating from substance abuse disorders. Clients will receive no less than one, one-hour individual counseling session and the frequency is once per week.
 - Group therapy encourages clients to present and process issues, information, and impressions related to the recovery process. These supervised group counseling sessions are led by a senior-level counselor. Clients will receive no less than three, one-hour group counseling sessions and the frequency is once per week.
 - Family therapy permits a client to deal with issues related to her/his addictions and the consequences of addiction to the family structure and members. The goal is to provide clients and family members with guidance to repair and strengthen the family structure and to convey functional means of relations. Clients will receive no less than one, one-hour family counseling session as appropriate to the respective composition of each client family and the frequency varies upon circumstances.
 - Referral to community resources links clients to services related to resolving their substance abuse problems. Examples include monitoring of psychiatric prescriptions, GED training, and vocational training. Clients will receive referrals to community resources as appropriate to the assessment of their problems and the frequency varies upon circumstances.
- d. Estimate the number of participants that will engage in this activity.
18 clients will be served for all activities.
- e. Estimate the number of defined units that the project will provide.
4. In 200 words or less, respond to the following items regarding the treatment services.
- a. **What is the expected length of treatment?**
Treatment plans will be individualized per client based on substance abuse and (if applicable) other co-occurring disorders. The (mean) average length of treatment is anticipated to be 12 months.
- b. **Are there different phases of treatment? If so, please describe.**
There are no "phases" of treatment, per se. Instead, services will be provided in relation to results from psychosocial assessment and state regulations as follows:
Day/night treatment will be provided in accordance with state (DCF) licensing regulations: three hours per day for at least four days per week, with a minimum of four (individual, family, or group) counseling hours. Treatment intensity will

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9. If any special training is planned for personnel at any level, please identify this training and describe how it will further the operation of the project. Also identify the position or types of positions that would attend such training.

No special training, outside of each professional staff members required continuing education to maintain credentials, is planned.

10. If equipment purchases will be a significant part of the project funding, describe how this equipment will be used in project operations.

No equipment purchases are planned.

COOPERATING OR PARTICIPATING AGENCIES

1. List all the agencies and/or organizations participating in project implementation or whose cooperation and/or support are necessary for the success of your project.

GCMK is the only agency that will provide treatment services. Potential clients may be referred by organizations including

16th Judicial Circuit, Monroe County, FL,

Monroe County Sheriff's Department,

Non-detained individuals will receive appointments for a comprehensive psychosocial and addiction severity assessment. Individuals detained by the Monroe County Sheriff's Office will be seen within the Detention Center at times mutually convenient for GCMK and MCSO.

2. Describe the role of each agency / organization.

The cooperative role for these organizations is limited to referral, supervision, and followup. Referrals have occurred formally and informally. For example, judges have expressly ordered clients to present for the Safeport program's services. Counselors with the 16th Judicial Circuit's Drug Court program may call the clinical coordinator to arrange for an appointment. Supervision occurs with progress reports to monitoring personnel (i.e., parole/probation officer, DCF case supervisor, Drug Court counselor, judge, KWA housing manager). Followup involves contacting the aforementioned individuals to determine a former client's whereabouts.

3. Have you obtained a commitment for support from each listed agency / organization? If it has not been obtained, describe how this will be accomplished.

Yes. All these relations are established and in good standing.

OTHER KEY INFORMATION

In 400 words or less, provide any other key information regarding the program that has not been addressed previously in the application. This should include identifying any other Byrne-funded project/activity/client that overlaps with this request.

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4. **Activity Implementation Schedule.** Complete the Activity Implementation Schedule showing when activities in the Program Description will commence and how the project will progress. This chart benchmarks planned activities, both administrative and programmatic. An "X" has been inserted for reports with mandatory due dates for all projects. Place an additional "X" to indicate times applicable to your project, as illustrated for quarterly program reports. Make a detailed listing of key activities under the heading "Programmatic Activities." Your Quarterly Performance Reports will be reviewed against this schedule.

Subgrant Period (Beginning Date – Ending Date)

Administrative Activities

ACTIVITY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Submit Financial Reimbursement Requests	X			X			X			X		
Submit Financial Closeout Package												
Submit Quarterly Program Reports	X (04)			X (04)			X (04)			X (04)		
Submit Quarterly PGI Reports (If applicable)												

Programmatic Activities

(Continue on a second page if necessary.)

Be sure to include activities mentioned in the Project Description

ACTIVITY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Psychosocial Assessment	X	X	X	X	X	X	X	X	X	X	X	X
Treatment Plans	X	X	X	X	X	X	X	X	X	X	X	X
Intake and Screening	X	X	X	X	X	X	X	X	X	X	X	X
Case Management	X	X	X	X	X	X	X	X	X	X	X	X
Drug Screening/Testing	X	X	X	X	X	X	X	X	X	X	X	X
Educational programs for relapse prevention	X	X	X	X	X	X	X	X	X	X	X	X
Vocational Training	X	X	X	X	X	X	X	X	X	X	X	X
Court Liaison	X	X	X	X	X	X	X	X	X	X	X	X
Individual Therapy	X	X	X	X	X	X	X	X	X	X	X	X
Group Therapy	X	X	X	X	X	X	X	X	X	X	X	X

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F. Project Budget

1. Budget Schedule

- a. The Project Budget Schedule includes five Budget Categories (Salaries and Benefits, Contractual Services, Expenses, Operating Capital Outlay, and Indirect Costs) and Total Project Costs. Total Local Match must be a minimum of 25% of the Total Budget.
- b. Enter the amount of federal, matching, and total funds by budget category that you will use to support project activities. Enter dollar amounts only in applicable categories based on totals from the Budget Narrative and leave others blank. Total Local Match must be a minimum of 25 percent of the Total Budget.

Type or Print Dollar Amounts Only in Applicable Categories and Leave Others Blank.

Budget Category	Federal	Match	Total
Salaries And Benefits			
Contractual Services	52,295.00	17,432.00	69,727.00
Expenses			
Operating Capital Outlay			
Indirect Costs			
Totals	52,295.00	17,432.00	69,727.00

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appropriate approval of this plan. n/a

5. If the budget includes services based on unit costs, be sure to provide a definition and cost for each service as part of the budget narrative for contractual services. Provide the following information.

a. What is the basis for the unit costs?

b. How recently was the basis established or updated?

An individualized treatment plan will be prepared for each client according to his/her needs. Services will be delivered based on the treatment plan. A schedule of services for Outpatient Treatment and Aftercare is shown below. Based on a representative schedule of services, 18 unduplicated individuals will be served with 10 of those individuals successfully completing the program.

Outpatient Treatment

Service	Rate	Duration	total units	rate	total \$
Treatment Planning	\$97.00/plan	45-75 min	15.00	97.00	1,455.00
Individual Therapy	\$110.00/hour	60 min	310.00	110.00	34,100.00
Family Therapy	\$110.00/hour	60 min	103.00	110.00	11,330.00
Group Therapy	\$35.00/session	60-90 min	180.00	35.00	6,300.00
Vocational Training	\$25.00/session	60-90 min	90.00	25.00	2,250.00
Psychosocial Assessment	\$48.50/assess.	20-30 min	72.00	48.50	3,492.00

Aftercare

Service	Rate	Duration			
Individual Therapy	\$110.00/hour	60 min	60.00	110.00	6,600.00
Group Therapy	\$35.00/session	60-90 min	120.00	35.00	4,200.00
					69,727.00

The rates shown above have been established based on costs established under guidelines from the Florida Department of Children and Families.

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G. Conditions of Acceptance and Agreement

Conditions of agreement requiring compliance by units of local government (subgrant recipients), implementing agencies and state agencies upon signed acceptance of the subgrant award appear in this section. Upon approval of this subgrant, the approved application and the following terms of conditions will become binding. Failure to comply with provisions of this agreement will result in required corrective action up to and including project costs being disallowed and termination of the project, as specified in item 16 of this section.

1. **All Subgrant Recipients must comply with the financial and administrative requirements set forth in the current edition of the U.S. Department of Justice, Office of Justice Programs (OJP) *Financial Guide* and *Byrne Program Guidance Document* as well as Florida laws and regulations including the Florida Administrative Code Chapter 11D-9, Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program.**
2. **Allowable Costs**
 - a. Allowance for costs incurred under the subgrant shall be determined according to the general principles of allowability and standards for selected cost items set forth in the *OJP Financial Guide*, U.S. Department of Justice *Common Rule for State And Local Governments* and federal *OMB Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments"*, or *OMB Circular A-21, "Cost Principles for Educational Institutions"*.
 - b. All procedures employed in the use of federal funds for any procurement shall be according to U.S. Department of Justice *Common Rule for State and Local Governments*, or *OMB Circular A-110* and Florida law to be eligible for reimbursement.
3. **Reports**
 - a. **Project Performance Reports**
 - (1) **Reporting Time Frames:** The subgrant recipient shall submit Quarterly Project Performance Reports to OCJG by February 1, May 1, August 1, and within forty-five (45) days after the subgrant termination date. In addition, if the subgrant award period is extended beyond the "original" project period, additional *Quarterly Project Performance Reports* shall be submitted.

Failure to submit Quarterly Performance Reports that are complete, accurate and timely may result in sanctions, as specified in item 16 of Section G, performance of Agreement Provisions.
 - (2) **Report Contents:** Performance reports must include both required sections, the quantitative response (in response to specific objectives and measures) and the qualitative narrative. The narrative must reflect on accomplishments for the quarter, incorporate specific items specified for inclusion in performance measures, and also identify problems with project implementation and address actions being taken to resolve the problems.
 - b. **Financial Reports**
 - (1) The subgrant recipient shall have a choice of submitting either a Monthly or a Quarterly Financial Claim Report to the OCJG. Monthly Financial Claim Reports (1-11) are due thirty-one (31) days after the end of the reporting period. Quarterly Financial Claim Reports (1-3) are due thirty-one (31) days after the end of the reporting period. In addition, if the subgrant award period is extended, additional Financial Claim Reports shall be submitted. A final Financial Claim Report and a Criminal Justice Contract (Financial) Closeout Package shall be submitted to OCJG within forty-five (45) days of the subgrant termination period. Such claim shall be distinctly identified as "final".
 - (2) All claims for reimbursement of subgrant recipient costs shall be submitted on the Financial Claim Report Forms prescribed and provided by the Office of Criminal Justice Grants. A subgrant recipient shall submit either monthly or quarterly claims in order to report current project costs. Reports are to be submitted even when no reimbursement is being requested.
 - (3) All claims for reimbursement shall be submitted in sufficient detail for proper pre-audit and post-audit.

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- c. All bills for any travel expenses shall be submitted according to provisions in Section 112.061, Florida Statutes.
10. **Program Income (also known as Project Generated Income)**
Program income means the gross income earned by the subgrant recipient during the subgrant period, as a direct result of the subgrant award. Program income shall be handled according to the *OJP Financial Guide* and U.S. Department of Justice *Common Rule for State and Local Governments* (reference 31 CFR Part 206 - Management of Federal Agency Receipts, Disbursements, and Operation of The Cash Management Improvement Fund).
11. **Approval of Consultant Contracts**
The Department shall review and approve in writing all consultant contracts prior to employment of a consultant when their rate exceeds \$450 (excluding travel and subsistence costs) for an eight-hour day. Approval shall be based upon the contract's compliance with requirements found in the *OJP Financial Guide*, U.S. Department of Justice *Common Rule for State and Local Governments*, and in applicable state statutes. The Department's approval of the subgrant recipient agreement does not constitute approval of consultant contracts.
12. **Property Accountability**
- a. The subgrant recipient agrees to use all non-expendable property for criminal justice purposes during its useful life or request Department disposition.
 - b. The subgrant recipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the *OJP Financial Guide*, U.S. Department of Justice *Common Rule for State and Local Governments* or the federal *OMB Circular A-110*. This obligation continues as long as the subgrant recipient retains the property, notwithstanding expiration of this agreement.
13. **Ownership of Data and Creative Material**
Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the *OJP Financial Guide*, and the U.S. Department of Justice *Common Rule for State and Local Governments*, or the federal *OMB Circular A-110*.
14. **Copyright**
The awarding agency reserves a royalty-free non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes:
- a. The copyright in any work developed under an award or subaward, and
 - b. Any rights of copyright to which a subgrant recipient or subrecipient purchases ownership with support funded under this grant agreement.
15. **Audit**
- a. Subgrant recipients that expend \$300,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. The audit shall be performed in accordance with the federal *OMB Circular A-133* and other applicable federal law. The contract for this agreement shall be identified in The Schedule of Federal Financial Assistance in the subject audit. The contract shall be identified as federal funds passed through the Florida Department of Law Enforcement and include the contract number, CFDA number, award amount, contract period, funds received and disbursed. When applicable, the subgrant recipient shall submit an annual financial audit that meets the requirements of Sections 11.45 and 215.97, Florida Statutes, and Chapters 10.550 and 10.600, Rules of the Florida Auditor General.
 - b. A complete audit report that covers any portion of the effective dates of this agreement must be submitted within 30 days after its completion, but no later than nine (9) months after the audit period. In order to be

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recipient to make progress in the execution of work hereunder which endangers such performance) if such failure arises out of causes beyond the control and without the fault or negligence of the subgrant recipient. Such causes include, but are not limited to, acts of God or of the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, but in every case, the failure to perform shall be beyond the control and without the fault or negligence of the subgrant recipient.

- b. If failure to perform is caused by failure of a consultant to perform or make progress, and if such failure arises out of causes beyond the control of subgrant recipient and consultant, and without fault or negligence of either of them, the subgrant recipient shall not be deemed in default, unless:
 - (1) Supplies or services to be furnished by the consultant were obtainable from other sources,
 - (2) The Department ordered the subgrant recipient in writing to procure such supplies or services from other sources, and
 - (3) The subgrant recipient failed to reasonably comply with such order.
- c. Upon request of the subgrant recipient, the Department shall ascertain the facts and the extent of such failure, and if the Department determines that any failure to perform was occasioned by one or more said causes, the delivery schedule shall be revised accordingly.

19. Extension of a Contract for Contractual Services

Extension of a contract for contractual services between the subgrant recipient and a contractor (which includes all project budget categories) shall be in writing for a period not to exceed six (6) months and is subject to the same terms and conditions set forth in the initial contract. Only one extension of the contract shall be acceptable, unless failure to complete the contract is due to events beyond the control of the contractor.

20. Written Approval of Changes in this Approved Agreement

Subgrant recipients shall obtain approval from the Department for major substantive changes. These include, but are not limited to:

- a. Changes in project activities, target populations, service providers, implementation schedules, designs or research plans set forth in the approved agreement;
- b. Budget deviations that do not meet the following criterion. That is, a subgrant recipient may transfer funds between budget categories as long as the total amount of transfer does not exceed ten (10) percent of the total approved budget and the transfer is made to an approved budget item; or,
- c. Transfers of funds above the ten (10) percent cap shall be made only if a revised budget is approved by the Department. Transfers do not allow for increasing the quantitative number of items documented in any approved budget item, i.e., increasing the quantity of equipment items in Operating Capital Outlay or Expense categories, or staff positions in the Salaries and Benefits category.)
- d. Under no circumstances can transfers of funds increase the total budgeted award.

21. Disputes and Appeals

- a. The Department shall make its decision in writing when responding to any disputes, disagreements or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The subgrant recipient shall proceed diligently with the performance of this agreement according to the Department's decision.
- b. If the subgrant recipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The subgrant recipient's right to appeal the Department's decision is contained in Chapter 120, Florida Statutes, and in procedures set forth in Rule 28-106.104, Florida Administrative Code. Failure to appeal within this time frame constitutes a

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undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting for all purposes and checks in this subsection, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.

- (1) Any person who is required to undergo such a security background investigation and who refuses to cooperate in such investigation or refuses to submit fingerprints shall be disqualified for employment in such position or, if employed, shall be dismissed.
- (2) Such background investigations shall be conducted at the expense of the employing agency. When fingerprinting is required, the fingerprints of the employee or applicant for employment shall be taken by the employing agency or by an authorized law enforcement officer and submitted to the Department of Law Enforcement for processing and forwarding, when requested by the employing agency, to the United States Department of Justice for processing. The employing agency shall reimburse the Department of Law Enforcement for any costs incurred by it in the processing of the fingerprints.

29. Drug Court Projects

- a. A Drug Court Project funded by the Byrne Formula Grant Program must contain the 10 key elements outlined in the U.S. Department of Justice, Office of Justice Programs, Drug Courts Program Office, program guidelines "Defining Drug Courts: The Key Components", January 1997. This document can be obtained from FDLE, Office of Criminal Justice Grants, at (850) 410-8700.
- b. To ensure more effective management and evaluation of drug court programs, the subgrant recipient agrees that drug court programs funded with this award shall collect and maintain follow-up data on criminal recidivism and drug use relapse of program participation. The data collected must be available to U.S. DOJ and FDLE upon request.

30. Overtime for Law Enforcement Personnel

Prior to obligating funds from this award to support overtime by law enforcement officers, the U.S. Department of Justice encourages consultation with all allied components of the criminal justice system in the affected jurisdiction. The purpose of this consultation is to anticipate and plan for systemic impacts such as increased court dockets and the need for detention space.

31. Criminal Intelligence System

- a. The purpose of the federal regulation published in 28 CFR Part 23 - Criminal Intelligence Systems Operating Policies is to assure that subgrant recipients of federal funds for the principal purpose of operating a criminal intelligence system under the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, et seq., as amended, use those funds in conformance with the privacy and constitutional rights of individuals.
- b. The subgrant recipient and a criminal justice agency that is the implementing agency agree to certify that they operate a criminal intelligence system in accordance with *Sections 802(a) and 818(c) of the Omnibus Crime Control and Safe Streets Act of 1968*, as amended and comply with criteria as set forth in 28 CFR Part 23 - Criminal Intelligence Systems Operating Policies and in the Bureau of Justice Assistance's *Formula Grant Program Guidance*. Submission of this certification is a prerequisite to entering into this agreement.
- c. This certification is a material representation of fact upon which reliance was placed when this agreement was made. If the subgrant recipient or criminal justice agency operates a criminal intelligence system and does not meet Act and federal regulation criteria, they must indicate when they plan to come into compliance. Federal law requires a subgrant-funded criminal intelligence system project to be in compliance with the Act and federal regulation prior to the award of federal funds. The subgrant recipient is responsible for the continued adherence to the regulation governing the operation of the system or faces

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36. National Environmental Policy Act (NEPA)

- a. The subgrantee agrees to assist FDLE in complying with the NEPA and other related federal environmental impact analyses requirements in the use of subgrant funds by the subgrantee. This applies to the following new activities whether or not they are being specifically funded with these subgrant funds. That is, it applies as long as the activity is being conducted by the subgrantee or any third party and the activity needs to be undertaken in order to use these subgrant funds.
- (1) New construction;
 - (2) Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
 - (3) A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and
 - (4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments.
- b. For any of a subgrantee's existing programs or activities that will be funded by these subgrants, the subgrantee, upon specific request from the Department and the U.S. Department of Justice, agrees to cooperate with DOJ in any preparation by DOJ of a national or program environmental assessment of that funded program or activity.

37. Non-Procurement, Debarment and Suspension

The subgrant recipient agrees to comply with Executive Order 12549, Debarment and Suspension (34 CFR, Part 85, Section 85.510, Participant's Responsibilities). These procedures require the subgrant recipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the Department.

38. Federal Restrictions on Lobbying

- a. Each subgrant recipient agrees to comply with 28 CFR Part 69, "New Restrictions on Lobbying" and shall file the most current edition of the Certification And Disclosure Form, if applicable, with each submission that initiates consideration of such subgrant recipient for award of federal contract, grant, or cooperative agreement of \$100,000 or more; or federal loan of \$150,000 or more.
- b. This certification is a material representation of fact upon which reliance was placed when this agreement was made. Submission of this certification is a prerequisite to entering into this agreement subject to conditions and penalties imposed by *Section 1352, Title 31, United States Code*. Any person who fails to file the required certification is subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure to file.
- c. The undersigned certifies, to the best of his or her knowledge and belief, that:
- (1) No federally appropriated funds have been paid or shall be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal loan, the entering into of any renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.
 - (2) If any non-federal funds have been paid or shall be paid to any person for influencing or attempting to influence an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant loan, or cooperative agreement, the undersigned shall complete and submit the standard form, Disclosure of Lobbying Activities, according to its instructions.

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5. Employ qualified disposal contractors to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized clandestine laboratory;
6. Dispose of the chemicals, equipment, and contaminated materials and wastes removed from the sites of seized laboratories at properly licensed disposal facilities or, when allowable, properly licensed recycling facilities;
7. Monitor the transport, disposal, and recycling components of subparagraphs 5. and 6. immediately above in order to ensure proper compliance;
8. Have in place and implement an inter-agency agreement or other form of commitment with a responsible State environmental agency that provides for that agency's (i) timely evaluation of the environmental conditions at and around the site of a closed clandestine laboratory and (ii) coordination with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if necessary, and in accordance with existing State and Federal requirements; and
9. Included among the personnel involved in seizing of clandestine methamphetamine laboratories, or have immediate access to, qualified personnel who can respond to the potential health needs of any offender(s)' children or other children present or living at the seized laboratory site. Response actions should include, at a minimum and as necessary, taking children into protective custody, immediately testing them for methamphetamine toxicity, and arranging for any necessary follow-up medical tests, examinations or health care.

**APPENDIX IV – CERTIFICATION OF COMPLIANCE WITH
EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM REQUIREMENTS**

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IMPLEMENTING AGENCY CERTIFICATION

I, the undersigned authorized official, certify that according to Section 501 of the Omnibus Crime Control and Safe Streets Act of 1968 as amended, that this Implementing Agency . . . (Select one of the following):

XX Meets Act Criteria

_____ Does not meet Act Criteria

I affirm that I have read the Act criteria set forth in the Subgrant Application Instructions. I understand that if the Implementing Agency meets these criteria, it must formulate, implement and maintain a written EEO Plan relating to employment practices affecting minority persons and women. I also affirm that the Implementing Agency . . . (Select one of the following):

XX Has a Current EEO Plan _____ Does Not Have a Current EEO Plan

_____ Is Included in the EEO Plan of the Subgrant Recipient.

_____ Has included a copy of the current approval letter from the US DOJ

I further affirm that if the Implementing Agency meets the Act criteria and does not have a current written EEO Plan, federal law requires it to formulate, implement, and maintain such a Plan within 120 days after a subgrant application for federal assistance is approved or face loss of federal funds.



Signature of Implementing Agency Authorized Official

Type Name: James L. Roberts

Name of Subgrant Recipient: Monroe County Board of County Commissioners

Name of Implementing Agency: Monroe County Board of County Commissioners

Title: County Administrator

Date: 6/4/03

Application for Funding Assistance
Florida Department of Law Enforcement
Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program

H. Signature Page

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duly authorized officers on the date, month and year set out below.

Corrections on this page, including
Strikeovers, whiteout, etc. are not acceptable.

State of Florida
Department of Law Enforcement
Office of Criminal Justice Grants

Signature: Clayton H. Wilder

Typed Name and Title: Clayton H. Wilder, Community Program Administrator

Date: 10-7-03

Subgrant Recipient
Authorizing Official of Governmental Unit
(Commission, Chairman, Mayor, or Designated Representative)

Typed Name of Subgrant Recipient Monroe County Board of County Commissioners

Signature: [Signature]

Typed Name and Title James L. Roberts, County Administrator

Date: 6/4/03

Implementing Agency
Official, Administrator or Designated Representative

Typed Name of Implementing Agency: Monroe County Board of County Commissioners

Signature: [Signature]

Typed Name and Title James L. Roberts, County Administrator

Date: 6/4/03